

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**ZT IP, LLC
Plaintiff,**

v.

**VMWARE, INC.,
Defendant.**

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Civil Action No. 3:22-cv-00970

JURY TRIAL DEMANDED

**PLAINTIFF’S AGREED MOTION TO SET BRIEFING SCHEDULE FOR
DEFENDANT’S MOTION TO AMEND THE JUDGMENT AND MOTION TO JOIN
PARTIES**

COMES NOW Plaintiff ZT IP, LLC (“ZT”), with the agreement of Defendant VMware, Inc., moving the Court to set a briefing schedule to respond to Defendant’s Motion to Amend the Judgment (ECF No. 46) and Motion to Join Parties (ECF No. 45) (the “Motions”), as detailed below, which will extend the deadlines from those established by L.R. 7.1 of the Local Rules of the Northern District of Texas to respond and to reply for the parties by three weeks and two weeks, respectively.

BACKGROUND, AUTHORITIES, AND ARGUMENT

1. On February 6, 2023, this Court issued a Memorandum Opinion and Order granting Defendant’s Motion for Attorney Fees and denying its Motion for Sanctions. ECF No. 43. The Court’s Order resolved the case and constituted a final judgment.
2. On August 11, 2023, Defendant filed its Motions seeking to apply its judgment against ZT to two sets of alleged additional responsible parties, including: a) the owners of ZT, comprising Pueblo Nuevo LLC, Entente IP, Dynamic IP Deals LLC, David Ghorbanpoor, Carlos Gorrichategui; and b) the legal representatives of ZT, comprising William Ramey and Ramey LLP.

3. Plaintiff's newly acquired counsel, the undersigned, began his representation of Plaintiff on May 5, 2023, to handle post-judgment discovery matters. However, this new development comes on the edge of a planned vacation beginning September 1st and in the midst of planning for two trials in later September. Plaintiff's counsel needs time to both thoroughly plumb the depths of this case and to prepare, coordinate, and draft a proper defense.

4. Additionally, the legal representatives of ZT must determine separately how to respond, as the undersigned should likely not represent the legal representatives due to the potential for conflicting defenses.

5. Finally, Defendant also requests an extension of time to file its reply to the responses, and has requested an extra two weeks for replies.

6. Proposed parties William Ramey and Ramey LLP do not oppose this motion. Proposed parties Pueblo Nuevo LLC, Entente IP, Dynamic IP Deals LLC, David Ghorbanpoor, and Carlos Gorrichategui have not yet appeared.

7. Under Local Rule 7.1, a party must file a response to a motion within 21 days, and replies are due 14 days after the response is filed. Those deadlines would be September 1st and September 15th, respectively, based on the motions' filing date of August 11, 2023. The parties have agreed that the deadlines should be extended to five weeks for the response to September 22nd and four weeks for the reply to October 20th, which would allow the parties to properly argue their positions.

8. This motion is not made for the sake of delay but in the interest of judicial efficiency.

PRAYER

WHEREFORE, Plaintiff respectfully request that the deadline to respond to the Motions in the instant case be extended to September 22, 2023, and the Defendant's deadline to file any replies be extended to October 20, 2023.

Plaintiff prays for all additional relief to which the Court may find appropriate.

Respectfully submitted,

ZT IP LLC, Plaintiff

By: /s/Warren V. Norred

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ATTORNEY FOR PLAINTIFF

Certificate of Service – I certify that the foregoing was served on all parties in the instant case via the Court's ECF system on August 28, 2023.

/s/Warren V. Norred

Certificate of Conference – I certify that I conferred via email with Richard Hung, rhung@mofo.com, counsel for Defendant VMWARE, INC., on August 24, 2023. He advised that he agreed with the motion and relief sought as herein expressed.

/s/Warren V. Norred